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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**  
**CENTRAL DIVISION**

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**LUMI BRADFORD,**

**Plaintiff,**

**vs.**

**SLC POLICE DEPARTMENT, SLC  
NEIGHBORHOOD WATCH,  
DEPARTMENT OF HUMAN  
SERVICES AND THEIR AUTHORIZED  
AGENTS/AGENCY,**

**Defendants.**

**ORDER ADOPTING REPORT &  
RECOMMENDATION**

**Case No. 2:09CV144 DAK**

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On January 26, 2010, the Magistrate Judge issued a Report and Recommendation, recommending that the Motion to Dismiss filed by Defendant Utah Department of Human Services (“DHS”) be granted. Specifically, the Magistrate Judge recommended that the Motion to Dismiss be granted because Plaintiff’s claims against DHS are barred by the Eleventh Amendment and also because DHS is not a person within the meaning of Section 1983.


Plaintiff has not filed any Objections to the Report and Recommendation, and the time for doing so has expired. The court has reviewed the file *de novo* and agrees with the Magistrate Judge’s recommendation. Therefore, the court approves and adopts the Magistrate Judge’s Report and Recommendation in its entirety.

Accordingly, IT IS HEREBY ORDERED that the Motion to Dismiss filed by the Utah Department of Human Services [docket # 13] is GRANTED, and Plaintiff’s claims against DHS

are DISMISSED.

DATED this 23<sup>rd</sup> day of February, 2010.

BY THE COURT:



A handwritten signature in black ink, reading "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL

United States District Judge